

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
TUESDAY, SEPTEMBER 23, 2003
AT 9:00 A.M.**

The City Council will meet in Closed Session on Tuesday, September 23, 2003 at 9:00 a.m. with the following agenda:

I. Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

- a. *Washington Elementary Parent Action Group, et al. v. City of San Diego, et al.*
SDSC Case No. GIC 802177
- b. *Vickie L. Metzler v. City of San Diego, et al.*
SDSC Case No. GIC 801136
- c. *Gleason v. San Diego Employees' Retirement System and City of San Diego*
SDSC No. GIC 803779
- d. *City of San Diego v. Apogee Investors, et al.*
SDSC Case No: GIC 777606-1

II. Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code section 54956.9(b):

- a. Number of cases: Three

III. Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):

- a. Number of cases: One

IV. Public employee performance evaluation, pursuant to California Government Code section 54957(b)(1):

a. Title: City Manager

V. Conference with Real Property Negotiator, pursuant to California Government Code section 54956.8:

a. Property: Qualcomm Stadium

City Negotiators: Assistant City Attorney Leslie J. Girard, Deputy City Manager Bruce Herring, Paul Jacobs, Esq., Daniel S. Barrett, and Robert J. Kheel

Negotiating Parties: City of San Diego and the San Diego Chargers

Under Negotiation: Real Property Interests at the Qualcomm Stadium site pursuant to the recommendations of the Citizens Task Force on Chargers Issues, and pursuant to the terms of Paragraph 31 of the 1995 Agreement for the Partial Use and Occupancy of Qualcomm Stadium.

b. Property: An area consisting of approximately 172-acres land and 17.9 acres water of Mission Bay Park (Portions of APN 435-480-15)

Agency Negotiator: William T. Griffith, Real Estate Assets Director

Negotiating Parties: Sea World, Inc.

Under Negotiation: Seeking direction on the Sea World lease percentage rent and annual minimum rent adjustment